



Federal Election Commission
Washington, DC 20463

November 25, 2008

Mr. William Kaspar
831 Maxwell Drive
Schenectady, NY 12309

Re: ADR 458 (MUR 5975)
Schenectady County Democratic Committee and William Kaspar, Treasurer

Dear Mr. Kaspar:

Enclosed is the signed copy of the agreement resolving the complaint filed on February 20, 2008 with the Federal Election Commission ("FEC/Commission") against Schenectady County Democratic Committee and William Kaspar, Treasurer ("Respondents"). The agreement for ADR 458 (MUR 5975) was approved by the Commission on November 13, 2008— the effective date of the agreement.

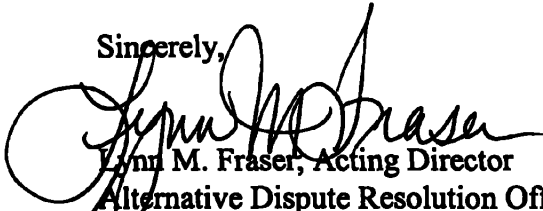
Note the specific time frames for compliance in paragraph 9 of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6 and contain the ADR caption and case number. **The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on December 26, 2008. Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.**

As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

This agreement resolves the matter that was brought to the attention of the FEC by Thomas Buchanan regarding an alleged violation of the federal election campaign

laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,



Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement

cc: Angela Dillard, Finance and Accounting Office
Ken Pezzella, Finance and Accounting Office
Room 819



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 458
Source: MUR 5975
Case Name: Schenectady County
Democratic Committee

NEGOTIATED SETTLEMENT

These matters were initiated by signed, sworn and notarized complaint filed by Thomas D. Buchanan, Chairman of the Schenectady County GOP. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve these matters, the Federal Election Commission (Commission) entered into negotiations with William Kasper, representing Schenectady County Democratic Committee ("the Committee" or "Respondent"). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

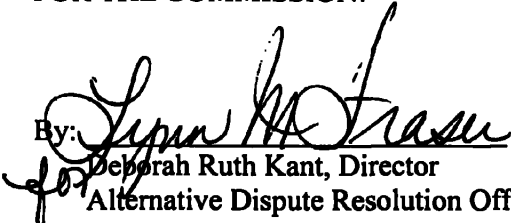
Negotiations between the Commission and Respondent addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondent. The Commission's use of alternative dispute resolution procedures ("ADR") is guided by the Administrative Dispute Resolution Act of 1996, 5 U.S.C. § 572, and is an extension of 2 U.S.C. § 437g.
2. Respondent voluntarily enters into this agreement with the Commission.
3. The Complainant alleges that Respondent solicited and received a \$5,000 contribution from a foreign national, Canarx Services, Inc., a Canadian company.
4. The FECA bars a foreign national from making donations or contributions in connection with a Federal, State or local election. The statute also prohibits unregistered local political party organizations from accepting donations from foreign nationals. 2 U.S.C. § 441e, 11 C.F.R. § 110.20(c), (g).
5. In response to the complaint, the Committee acknowledged that it deposited the contribution from Canarx Services in the Committee's bank account. The Committee explained that it was unaware of federal restrictions on contributions

from foreign nationals. The Committee further asserted that it refunded the contribution to the Canadian company, and it attached a copy of the refund letter and check to its response.

6. Respondent, in an effort to avoid similar errors in the future, agrees to: (a) issue and distribute guidelines on prohibited contributions and (b) pay a \$3500 civil penalty.
7. Respondent agrees that all information provided to resolve this matter is true and accurate to the best of its knowledge and that it signs this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondent fails to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondent shall comply with the terms set forth in paragraph 6 within thirty (30) days of the effective date of this agreement.
10. This Negotiated Settlement constitutes the entire agreement between the parties on the resolution of ADR 458 (MUR 5975), and effectively resolves only those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party that is not included herein shall be enforceable.

FOR THE COMMISSION:

By: 
for Deborah Ruth Kant, Director
Alternative Dispute Resolution Office

11-23-08
Date Signed

FOR THE RESPONDENTS:


William Kasper, representing
Schenectady County Democratic Committee

5/20/08
Date Signed